

MR  
COUNTY OF COOK  
Illinois

AFFIDAVIT  
RECEIVED

DEC 17 2024

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Date Dec-9-2024

1:24-cv-12940

Judge Jeremy C. Daniel

Magistrate Judge Gabriel A. Fuentes

PC 6

DIRECT / CAT.3

± Cuauhtemo'c. Hernandez Swear under penalties of perjury that the following statements are true and correct. TO the best of my knowledge and belief, Sgt Amesquita #851846 use excessive force which resulted in me being assaulted, by him and following C/os B. Jefferson #16515, E. Taylor #4856399, N. VALÉ. Assault turned into a Battery. When i was Kicked above eye suffering a laceration and slip disk in neck. ± was also handcuffed frontwards MAZED. ± cant feel my hands specially left hand after incident. This all occurred because i wanted a Electronic Monitoring slip. Since i arrived i never got one Because inmates deck workers Confidential Informants are always. In other inmates business cater to C/os to get extra privileges. I was upset told Deck workers and inmates that i wasnt locking up untill i got EM slip. They became hostile attempting to Beat me up. ± was on top deck by my self. ± Spilled milk on stairs advised not to approach me. Inmate then went and told staff. Its when Sgt. Amesquita ran up stairs asked me to cuff up. ± asked why never posed a threat backed up. ± believe his actions were excessive if i spilled milk write a IDR. ± also Kept telling i have a frozen shoulder cant be handcuffed behind my back. was still mistreated handcuffed in front backwards hand inwards.

pg 1 of 4

I believe I died in holding DIV-9. When I woke up  
 had no pants on. Slumped on side of steel toilet. I  
 pulled myself up with my hands off steel sink/toilet.  
 Ran water on my eyes to get relief from MAZE. Then  
 I heard C/O state this motherfucker is back. I requested  
 Brown Hopkins to drop MAZE OF EYES AND THAT I  
 be uncuffed. So I could put my pants on. Both request  
 were denied. I manage to put pants on by bars.  
 C/O's then kicked clean doc pants and shirt and asked  
 me to change uncuffed me. I was taken to Mental Health  
 evaluation then transported to Stroger Hospital. Where  
 I was treated for Laceration above right eye and ship  
 disk in my neck. This wasn't only enough for Sgt Amesquita  
 then under his watch. I was wrote up for assault  
 Battery to staff, Attempt Battery, uniform violation, Disorderly  
 Conduct, Disobeying or Resisting orders, Count Violation.  
 I also got wrote up in Stroger Hospital because I was  
 given a neckbrace. That did not fit could not breathe.  
 I was dehydrated asked for water. I was given  
 water with alot of ice. During this time I was four  
 pointed with handcuffs to bed. When shift change  
 came I was left alone. I kept calling nurse and  
 C/O's. No one came I made my way to front of bed.



I kept calling for C/Os and Nurses. Requesting water and that my eyes be rinsed. Because I was mazed. Sgt Hession<sup>#</sup> 3261, C/O C. Williams<sup>#</sup> 16775 asked how I got to front of Hospital bed. To get back up were I was. I again just simply requested water and that my eyes be rinsed. I pleaded that not treat me like a animal. That they stop four pointing me with handcuffs. After all was done I remained four pointed for 3-4 days I was there. Only time restraints were removed was to use Restroom. I also was wrote up for allegedly Kicking Sgt Hession in midsection and C. Williams<sup>#</sup> 16775 in shoulder. All while being four pointed. I have ~~attached~~ 4 copies of Grievances. That corroborate my allegations and is why I'm requesting. Relief from this court. I ask this court and Judge presiding to consider my allegations. Enter what ever order Judge see's fit.

Subscribed and sworn  
this day \_\_\_\_\_  
before me  
See pg 4  
Notary

Guantanamo Hernandez  
AFFIANT

Pg 3 of 4

Pursuant to 28 USC 1746, 18 USC 1621 or  
735 ILCS 5/109 I declare, under the penalty  
of perjury, that i am a none party in  
above action, that i have read the above  
document's and that information contained  
therein is true and correct to the best  
of my knowledge

Date Dec-19-2024

15' Cuauhtemoc Hernandez

Affiant Cuauhtemoc Hernandez

2854 S. Harding Ave

Chicago Illinois 60623

### PROOF OF SERVICE

I, Cuauhtemoc Hernandez, state that I served a copy of the document to which this affidavit is attached upon each party, or, if represented by counsel, upon the attorney of record for said party(ies) by enclosing the same in a sealed envelope plainly addressed as is disclosed by the pleadings of record herein and by depositing each of such envelopes in the box designated for United States mail at COOK COUNTY Correctional Center, Chicago Illinois, together with the appropriate request to the prison official responsible to affix fully prepaid postage thereon, on this 9th day of December, 2024

Cuauhtemoc Hernandez  
Signature

### VERIFICATION

I, Cuauhtemoc Hernandez, the undersigned, certify and state that:

1. I am the (Petitioner/Respondent) in the above captioned legal matter.
2. I have read the foregoing application and have knowledge of its contents;

and

3. Under penalties as provided by law pursuant to sec. 1-109 of the Code of Civil Procedure, I certify that the statements set forth in the foregoing motion and this affidavit are true and correct except as to matters therein stated to be on information and belief, and as to such matters I certify that I believe the same to be true.

Cuauhtemoc Hernandez  
(Your signature)

~~Barbentia~~

~~[scribble]~~

~~[scribble]~~



Cvahutemoe Hernandez #20241027065  
Cook County D.C.  
2700 South. California Ave  
Chicago, Illinois 60608.

(LEGAL MAIL)



12/17/2024-24

**RECEIVED**

DEC 17 2024

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

SCREENED  
DEC 17 2024  
US MARSHALS

Department of Justice 5th floor  
Everett M.C. Kinley or 20th floor  
Dirksen Building  
219 South Dearborn  
Chicago, Illinois 60604.

